

Rec'd PCTO 21 JUL 2005

10/543047

#  
2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : To be assigned Confirmation No.  
Inventor : Alan K. SNELL  
Filed : Concurrently herewith  
TC/AU : 3761  
Examiner : Larry Schwartz  
  
Docket No. : 1032.036  
Customer No. : 36790

Via U.S. Express Mail

Mail Stop PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

#### RULE 131 DECLARATION BY ALAN KAY SNELL

I, Alan Kay Snell, hereby declare under penalty of perjury:

1. I understand that each of the claims currently presented in the above-identified application after amendment, which claims are attached hereto in **Exhibit 1**, legally defines an invention (hereinafter collectively "Inventions").
2. For each Invention, I conceived of the Invention on or before February 13, 2003, and I either reduced each such Invention to practice on or before February 13, 2003, or I exercised diligence in reducing each such Invention to practice after February 13, 2003.
3. Direct and circumstantial documentary evidence of the conception and reduction to practice of each of the Inventions is attached hereto as Exhibits 2-6 and 9, which represent photographs that were taken prior to February 13, 2003 ("The Joey Photographs").
4. The Joey Photographs illustrate a "Joey" diaper changing kit that includes a vacuum-packed diaper and accessories for changing a diaper.
5. The photograph of **Exhibit 2** is a perspective view of the bottom of the "Joey" box illustrating a resealable tab for accessing wipes.

6. The photograph of **Exhibit 3** is a perspective view of the bottom of the “Joey” box illustrating the resealable tab being pulled back to expose a wipe.
7. The photograph of **Exhibit 4** is a perspective view of the top of the “Joey” box illustrating the removal of a tray in which the vacuum-packed diaper and accessories are contained.
8. The photograph of **Exhibit 5** illustrates the complete removal of the tray from the “Joey” box of the photograph of Exhibit 4.
9. The photograph of **Exhibit 6** illustrates contents of the “Joey” box including the vacuum-packed diaper in a reduced configuration. The same diaper in a nominal configuration further is illustrated in the photograph of Exhibit 6 to demonstrate the differences between the reduced configuration and nominal configuration of the diaper.
10. **Exhibit 7** represents the enlargement of the portion of the photograph of Exhibit 6 for viewing of the top of the “Joey” box illustrating a copyright notice of 2002 by Eagle Rock Design. Eagle Rock Design was a name under which I was developing the vacuum-packed diaper changing kit.
11. **Exhibit 8** represents the enlargement of the portion of the photograph of Exhibit 6 for better comparison of the nominal configuration of the diaper versus the reduced configuration of the vacuum-packed diaper. Exhibit 8 further illustrates graphics printed on the diaper that are viewable through the encasement of the vacuum-packed diaper.
12. The photograph of **Exhibit 9** again illustrates contents of the “Joey” box and includes two “Joey” boxes comparing the front and back sides thereof.
13. **Exhibit 10** represents the enlargement of the portion of the photograph of Exhibit 9 illustrating the graphics of the diaper being viewable through the encasement of the vacuum-packed diaper.
14. **Exhibit 11** is a document created in 2002 that illustrates the dimensions of the tray of the “Joey” box as illustrated in the photographs of Exhibits 2-6 and 9
15. The vacuum-packed diaper of the Joey Photographs is an unsoiled, packaged diaper that has been vacuum sealed within a substantially air impermeable and moisture impermeable encasement. The diaper further is the only diaper disposed within the interior of the sealed substantially air impermeable encasement. The sealed substantially

air impermeable encasement maintains at least a partial vacuum state in the interior space, and the encasement is sealed after evacuation of air and creation of at least a partial vacuum state within the interior space of the encasement. The substantially air impermeable encasement is formed of a flexible material.

16. When individually vacuum-packing diapers in 2002 or before, I sometimes had access to and utilized a vacuum-sealing machine as represented in the color photographs of **Exhibit 12**, which color photographs formed part of my provisional patent application filing that I mailed to the US Patent & Trademark Office on February 26, 2003, and which provisional application received serial number 60/451,433. In utilizing such a vacuum-sealing machine, the diaper was disposed within an air impermeable encasement which was placed under the lid of the vacuum-sealing machine. The lid was then lowered to create a chamber and a vacuum was then drawn within the chamber. The vacuum that was drawn was less than 20 millibars. A vacuum sometimes was drawn to less than 10 millibars, and the pressure within the interior space of the encasement was on the order of magnitude of a millibar. After sealing of the encasement within the vacuum chamber, air was restored to the chamber and the lid was raised. It is my understanding that the sealed diaper is reduced in volume and size when the air is restored to the chamber and the lid is lifted as a result of the increased pressure acting upon the encasement. It further is my understanding that a pressure differential across the sealed substantially air impermeable encasement acts upon the encasement to maintain the diaper in its reduced configuration. Many of the vacuum-packed diapers that I made each had a size no larger than a conventional cigarette pack.
17. When individually vacuum-packing diapers in 2002 or before, I experimented with various diaper configurations within the encasement. I sometimes rolled the diaper into a cylindrical shape and then vacuum-sealed the diaper within the substantially air impermeable encasement. Other times I folded the diaper so that the diaper had a substantially rectangular shape defining a length, a width, and a thickness. Sometimes I folded the diaper at least once along a dimension defining said length. Sometimes I folded the diaper twice along a dimension defining said length. Sometimes the vacuum-packed diapers had a reduced length and width each of which was less than about 1/2 of

the nominal length and width, respectively, of the diaper. Sometimes the vacuum-packed diapers had a reduced length and width each of which was less than about 1/3 of the nominal length and width, respectively, of the diaper. Sometimes the vacuum-packed diapers had a reduced length and width each of which was less than about 1/4 of the nominal length and width, respectively, of the diaper.

18. The encasement of the vacuum-packed diaper was formed from a flexible material, and the encasement included at least a portion thereof that was transparent such that the diaper and/or accessory were viewable through the encasement. The encasement sometimes further included a tab to facilitate access to the interior space of the encasement for release of the diaper.
19. When vacuum-packing diapers in 2002 or before, I made and experimented with various types and configurations of diaper kits, each kit including a vacuum-packed diaper. One or more of these kits included a compressed unused diaper, at least one diaper accessory, and an air impermeable encasement. The compressed diaper was disposed within the air impermeable encasement with an airtight seal, and the interior space had at least a partial vacuum state, whereby a pressure differential acted upon the encasement and the diaper to maintain the diaper in the compressed state. Typically, the compressed diaper was the only diaper disposed within the encasement, and the diaper kit was pocket-sized.
20. Diaper accessories that were included in the kits sometimes were prepackaged. Examples of diaper accessories that sometimes were included in kits included moist wipes and a dirty diaper disposal bag. The diaper and an accessory sometimes were vacuum-sealed together within the airtight interior space of the encasement. Other times, the diaper was vacuum-sealed within the encasement, and the vacuum-sealed diaper and diaper accessory then were disposed within a common container such as, for example, a box.
21. When vacuum-packing diapers in 2002 or before, I performed a method of packaging a single, unused diaper, including the steps of: disposing the single, unused diaper within a substantially air impermeable encasement, the diaper being the only diaper disposed within the encasement; volumetrically reducing a size of the unused diaper to a size convenient for carriage and storage of the diaper; and maintaining the volumetrically

reduced size of the diaper with the encasement; wherein the step of maintaining the volumetrically reduced size of the diaper with the encasement includes the step of maintaining the volumetrically reduced size with a pressure differential acting upon the encasement; and wherein the pressure differential acting upon the encasement is created by forming a vacuum within the encasement and then sealing the encasement.

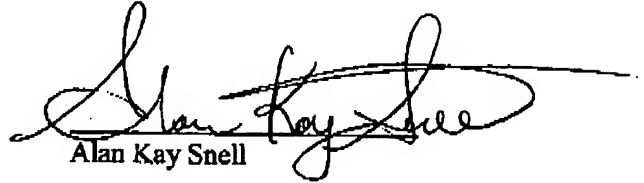
22. Sometimes the method further included the step of volumetrically reducing the size of the diaper by folding the diaper into a substantially rectangular shape prior to said step of disposing the single, unused diaper within a substantially air impermeable encasement. Furthermore, sometimes the packaged diaper had three dimensions comprising a width, length, and height, and the sum of two of the three dimensions was less than 10 cm with no single dimension of the three dimensions exceeding 10 cm.
23. Sometimes the method further included the step of volumetrically reducing the size of the diaper by rolling the diaper into a substantially cylindrical shape prior to said step of disposing the single, unused diaper within a substantially air impermeable encasement.
24. Sometimes the method further included the step of disposing at least one diaper accessory with the diaper within the encasement prior to sealing of the encasement, the diaper accessory being used for changing of a diaper to thereby form a diaper changing kit.
25. Sometimes the method further included the step of packaging the sealed encasement, which maintains the volumetrically reduced size of the diaper, with at least one diaper accessory for changing of a diaper to thereby form a diaper changing kit.

**[Signature Page Follows]**

US National Stage of International Patent Appl. No. PCT/US04/29286  
Rule 131 Decl. Dated July 20, 2005

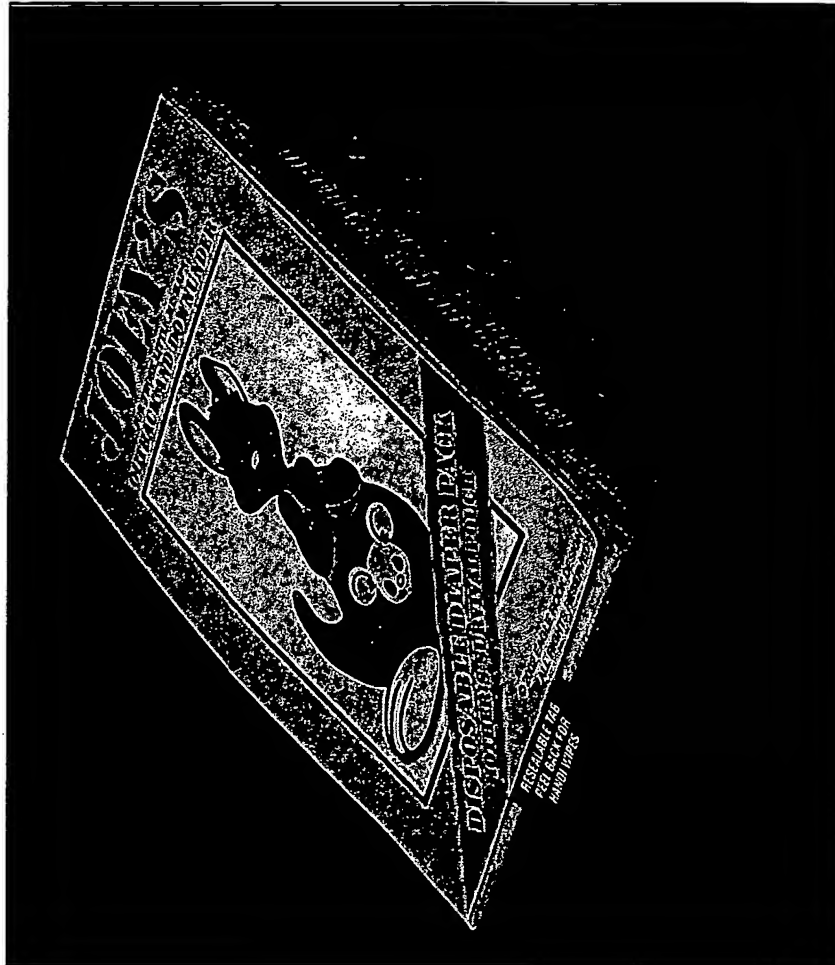
I hereby declare, under penalty of perjury, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

7/20/2005  
Date

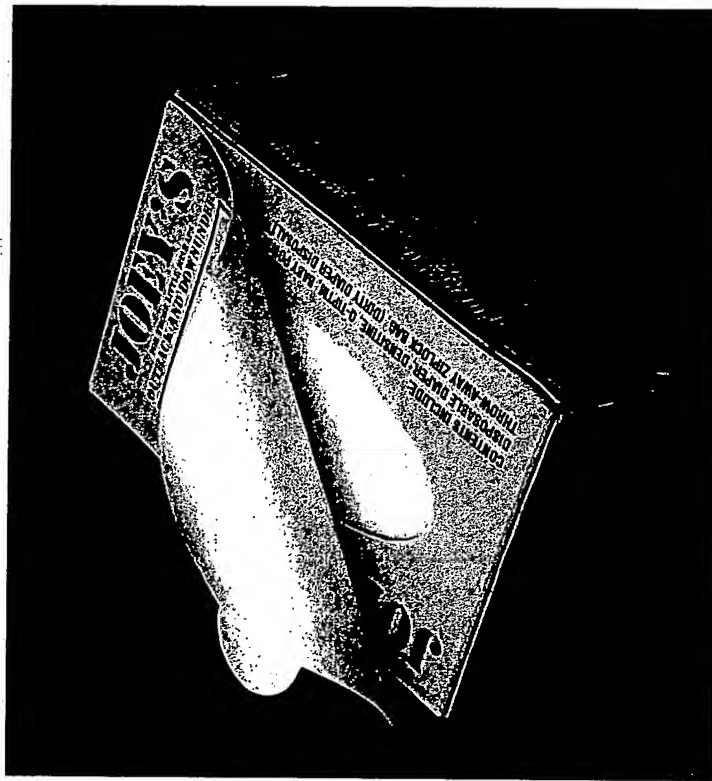
  
Alan Kay Snell

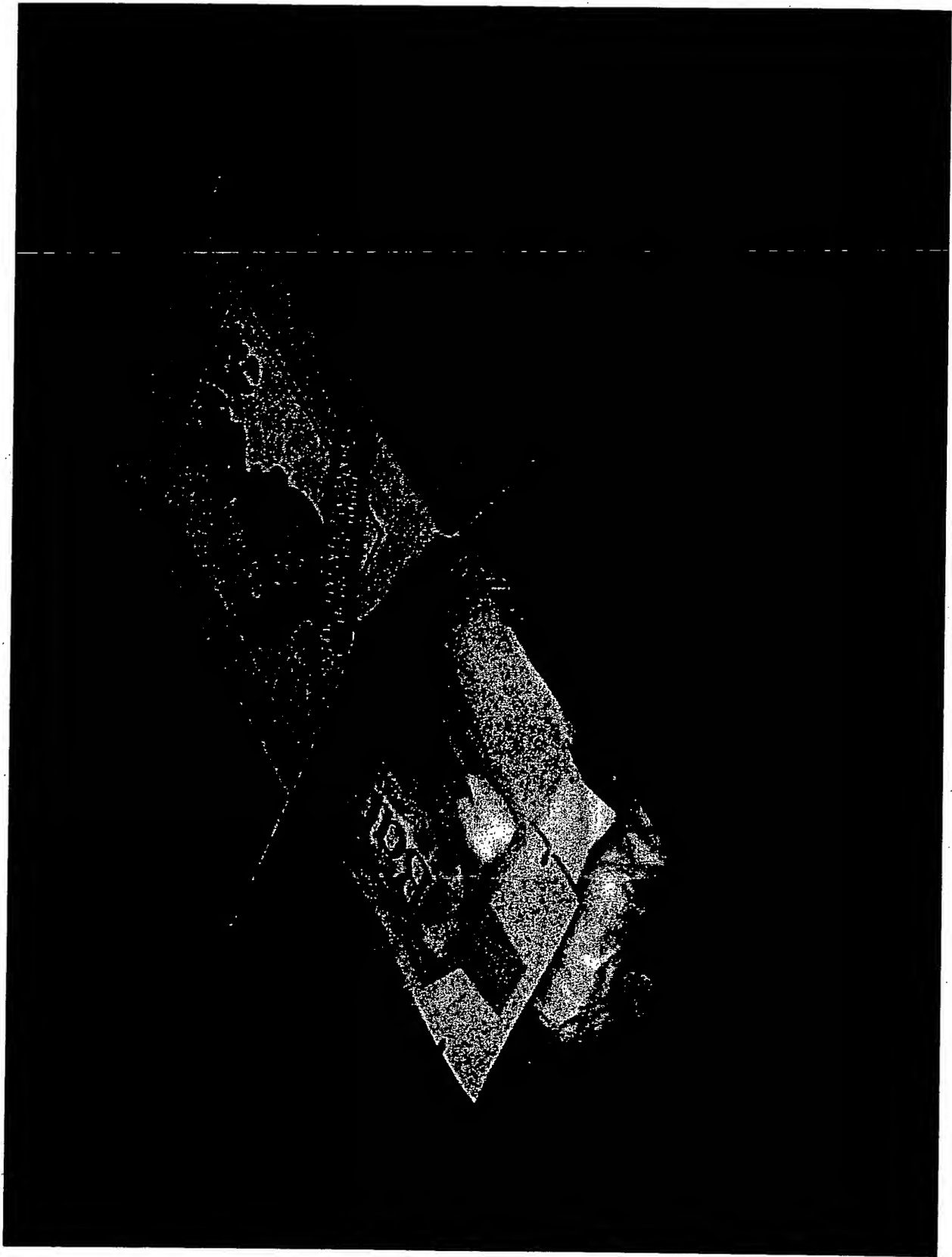
14/10/05

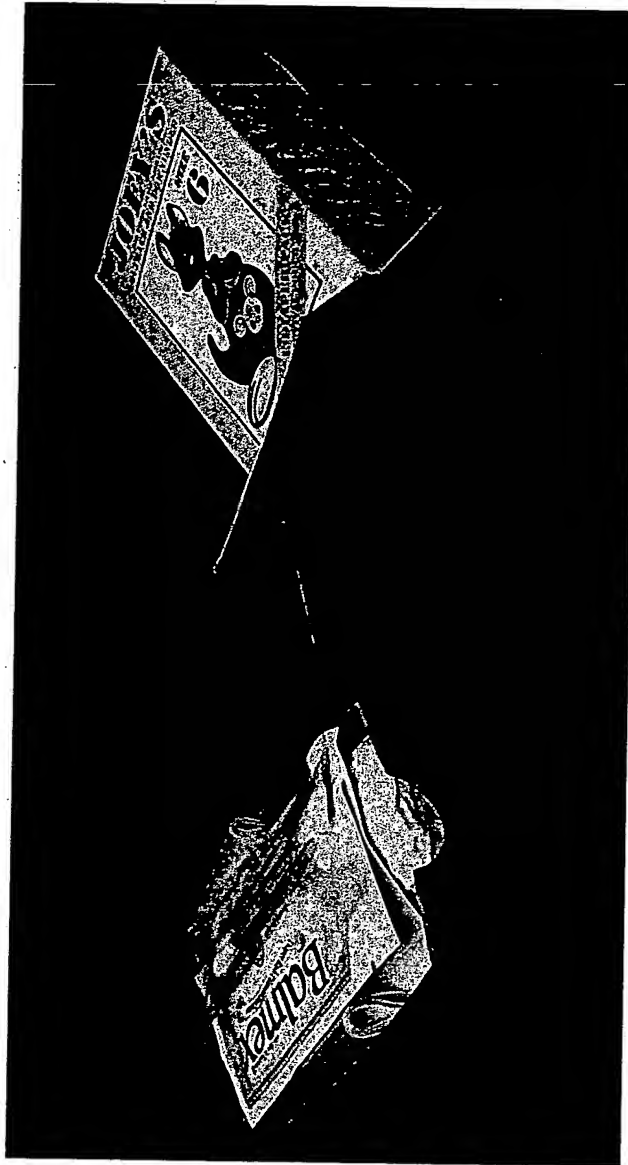
1. A method of packaging a single, unused diaper, comprising the steps of:
  - disposing the single, unused diaper within a substantially air impermeable encasement, the diaper being the only diaper disposed within the encasement;
  - volumetrically reducing a size of the unused diaper to a size convenient for carriage and storage of the diaper; and
  - maintaining the volumetrically reduced size of the diaper with the encasement;
    - wherein the step of maintaining the volumetrically reduced size of the diaper with the encasement includes the step of maintaining the volumetrically reduced size with a pressure differential acting upon the encasement; and
    - wherein the pressure differential acting upon the encasement is created by forming a vacuum within the encasement and then sealing the encasement.
2. The method of claim 1, further comprising the step of volumetrically reducing the size of the diaper by folding the diaper into a substantially rectangular shape prior to said step of disposing the single, unused diaper within a substantially air impermeable encasement.
3. The method of claim 2, wherein the packaged diaper has three dimensions comprising a width, length, and height, and the sum of two of the three dimensions is less than 10 cm with no single dimension of the three dimensions exceeding 10 cm.
4. The method of claim 1, further comprising the step of volumetrically reducing the size of the diaper by rolling the diaper into a substantially cylindrical shape prior to said step of disposing the single, unused diaper within a substantially air impermeable encasement.
5. The method of claim 1, wherein a pressure within the encasement when sealed is about 5 millibars to about 1 millibar.
6. The method of claim 1, further comprising the step of disposing at least one diaper accessory with the diaper within the encasement prior to sealing of the encasement, the diaper accessory being used for changing of a diaper to thereby form a diaper changing kit.
7. The method of claim 1, further comprising the step of packaging the sealed encasement, which maintains the volumetrically reduced size of the diaper, with at least one diaper accessory for changing of a diaper to thereby form a diaper changing kit.











10/543047

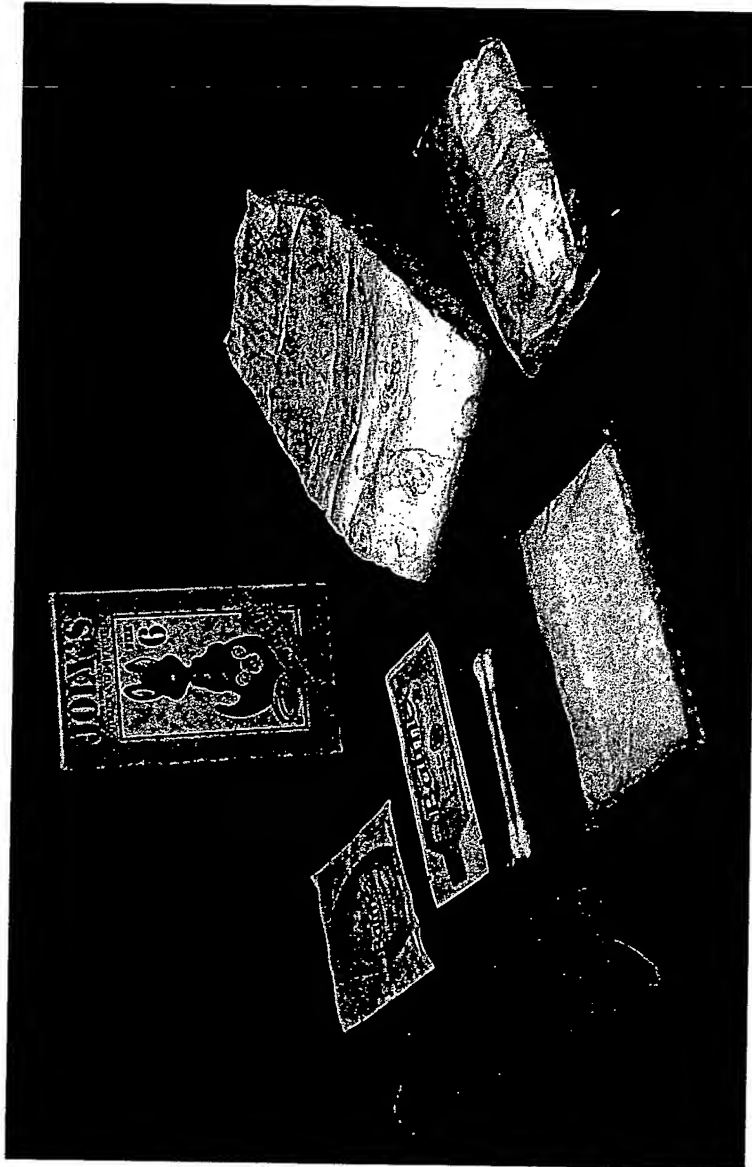
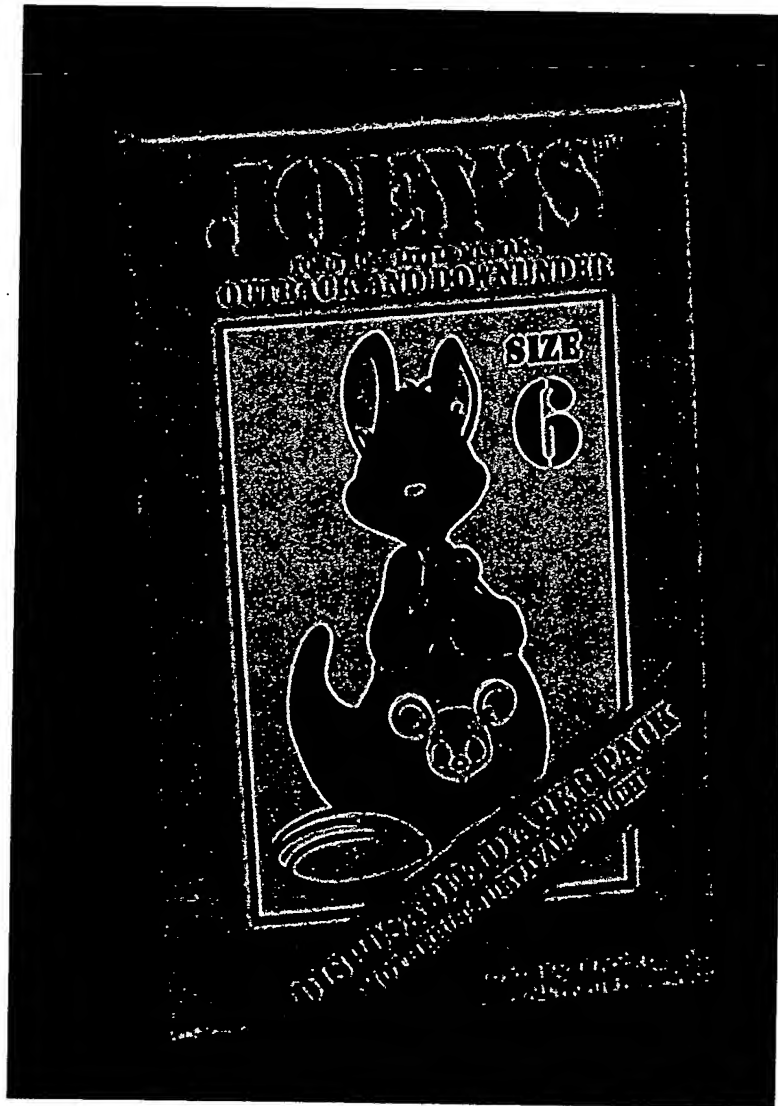
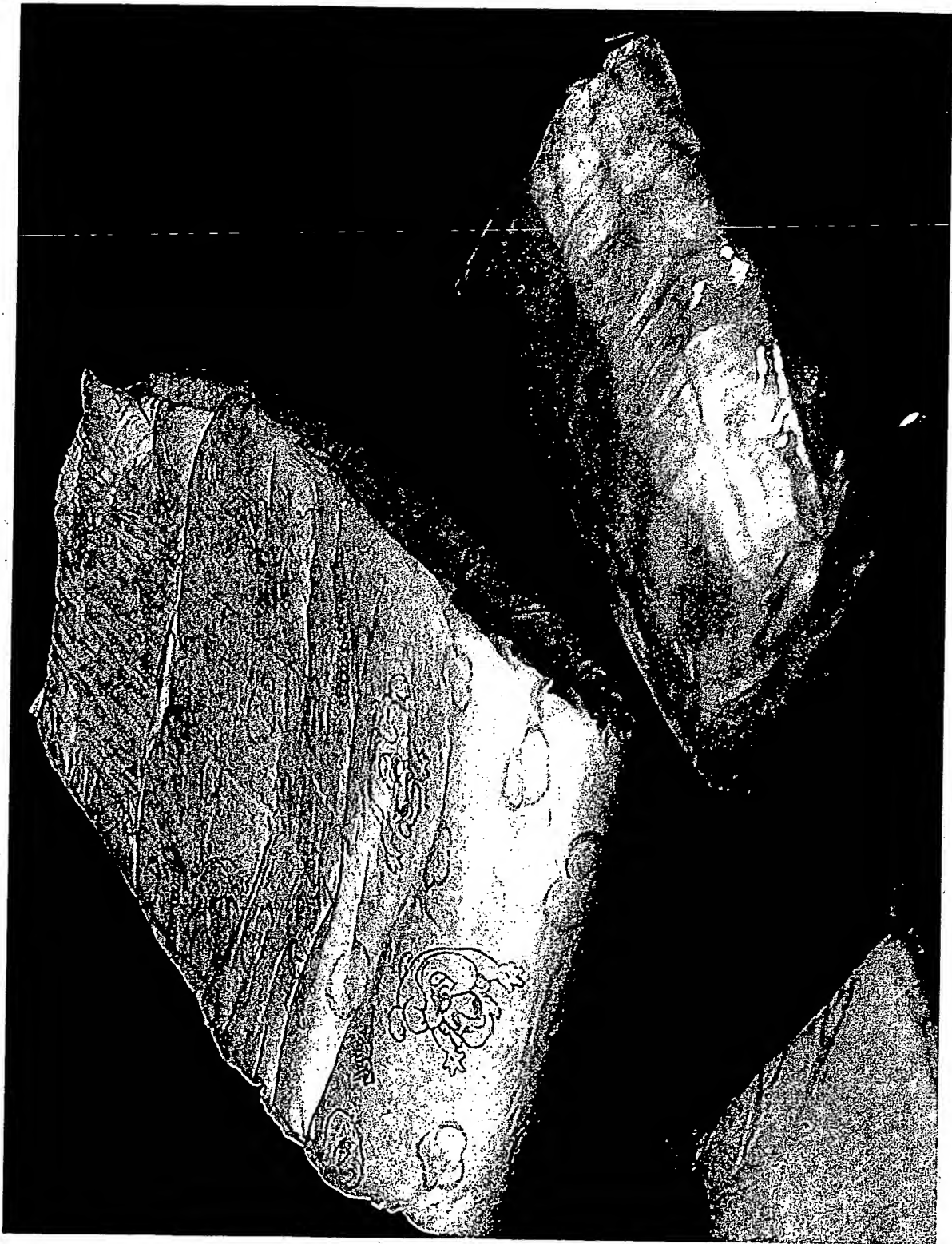
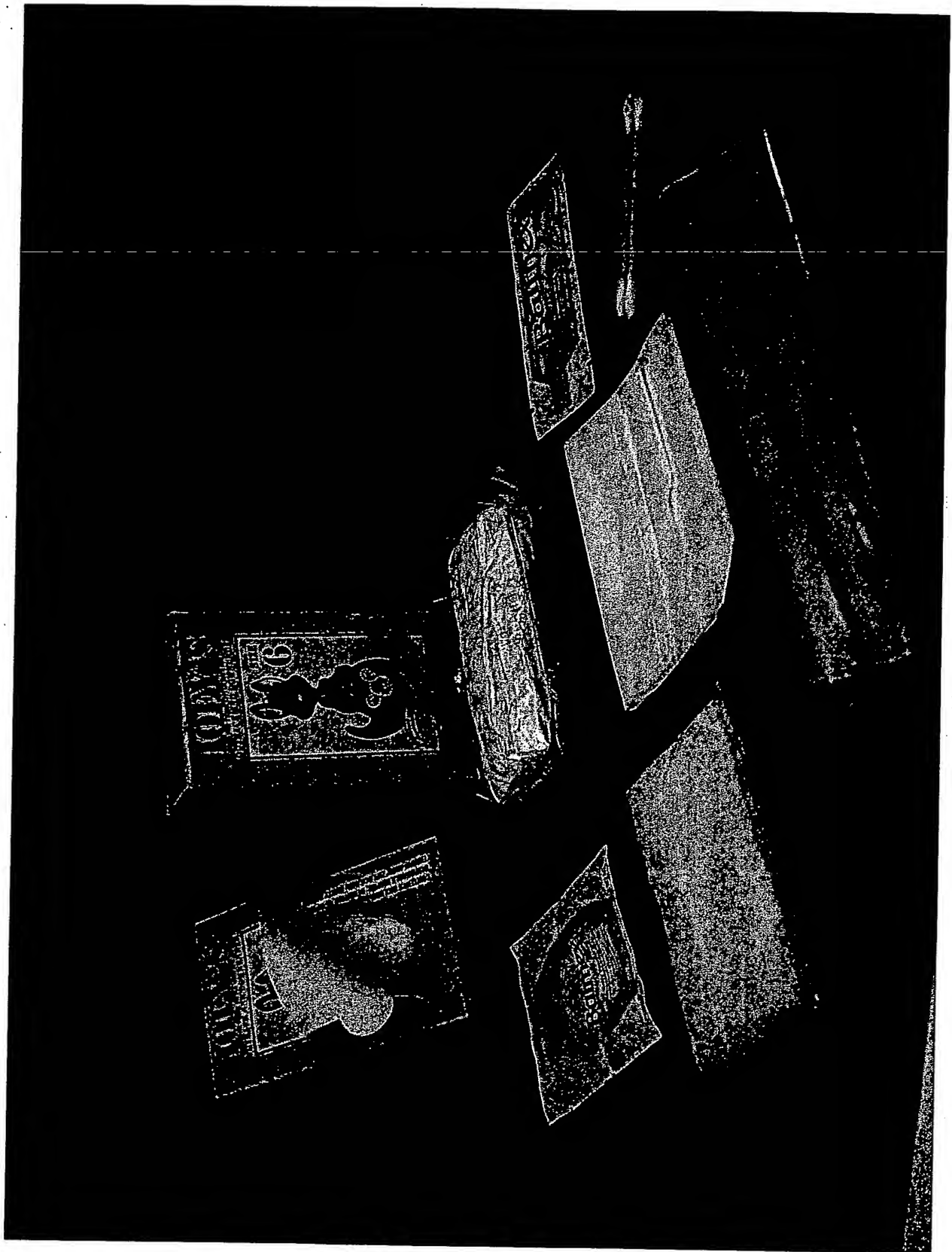


Exhibit 6





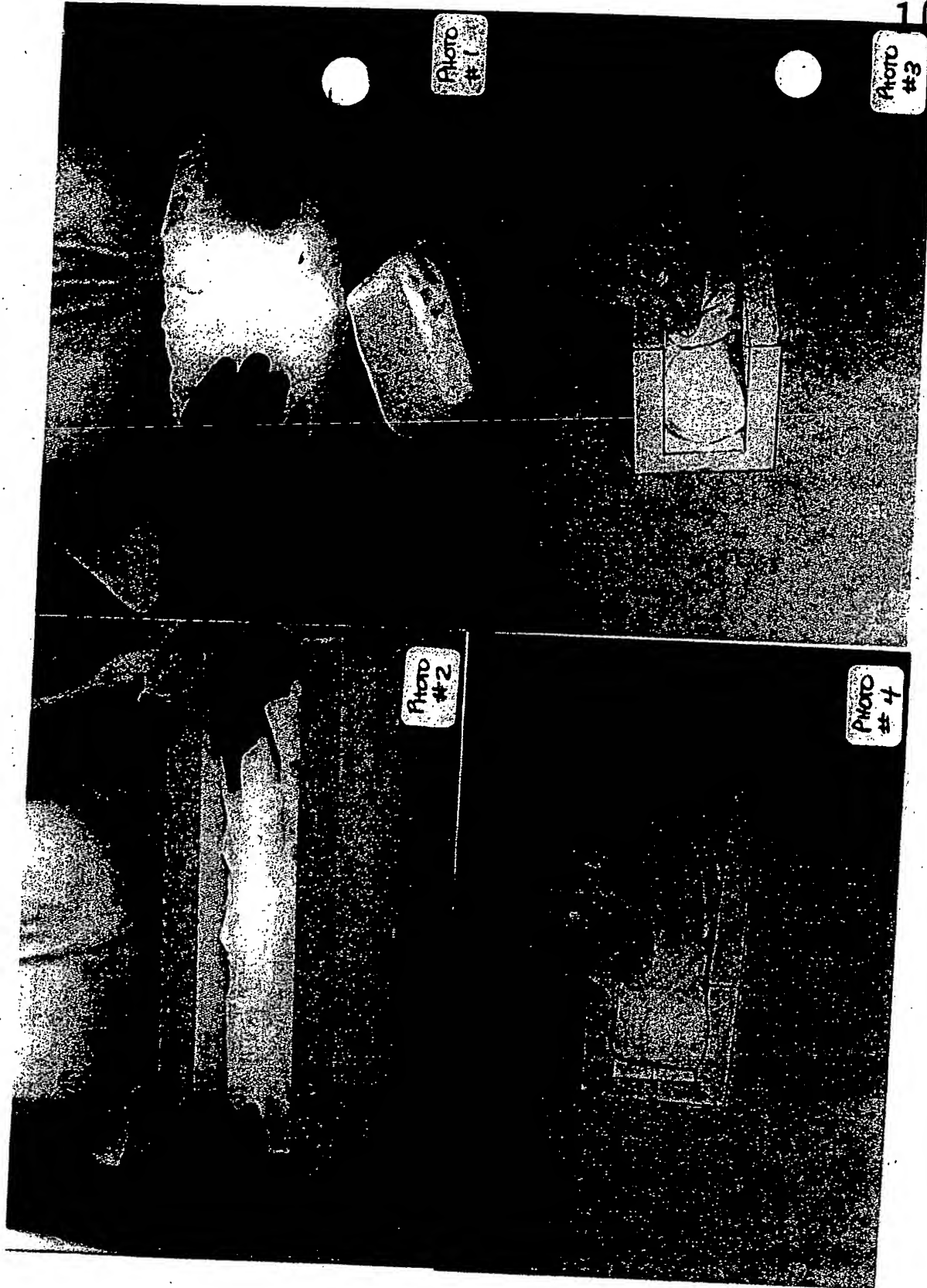




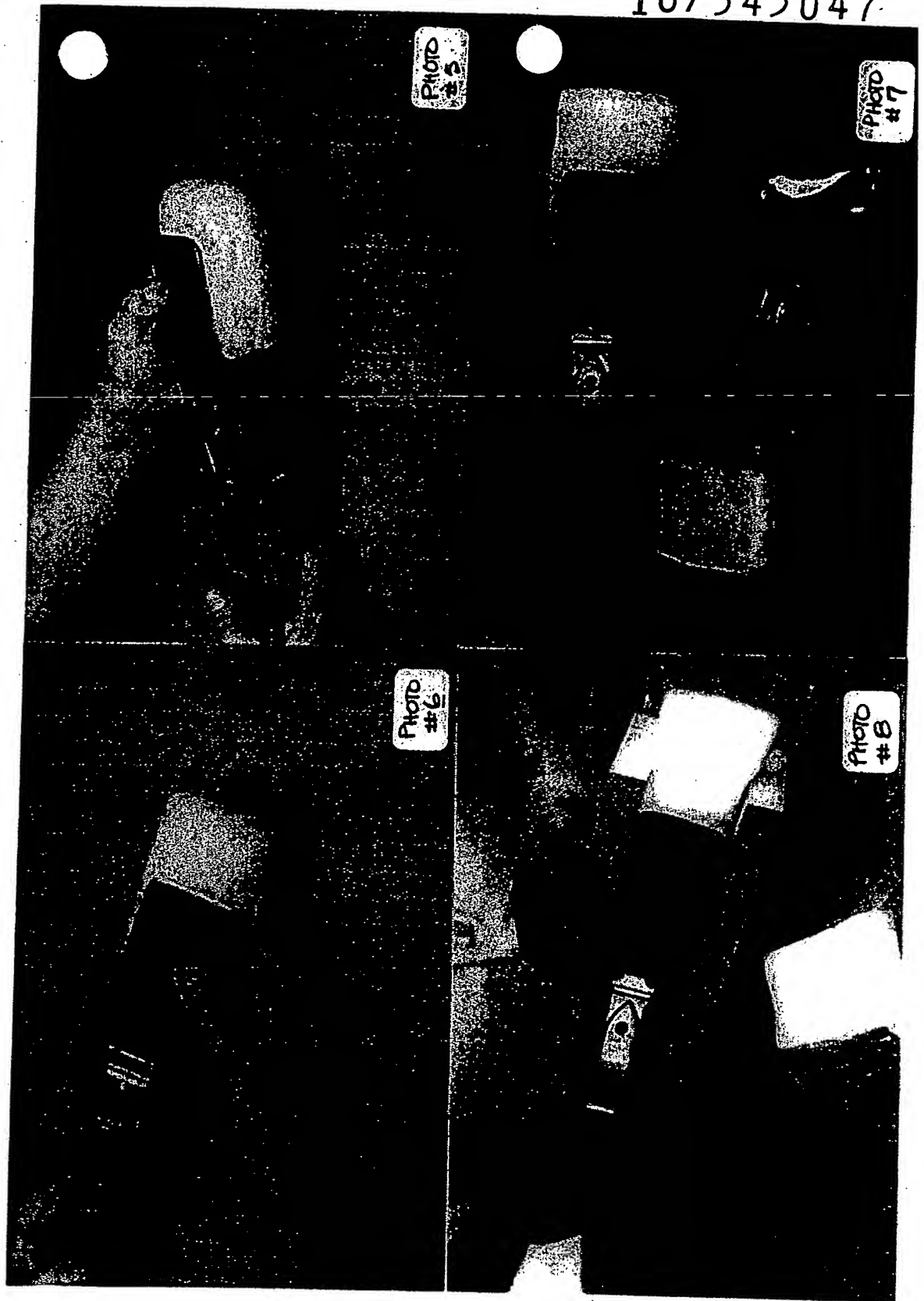




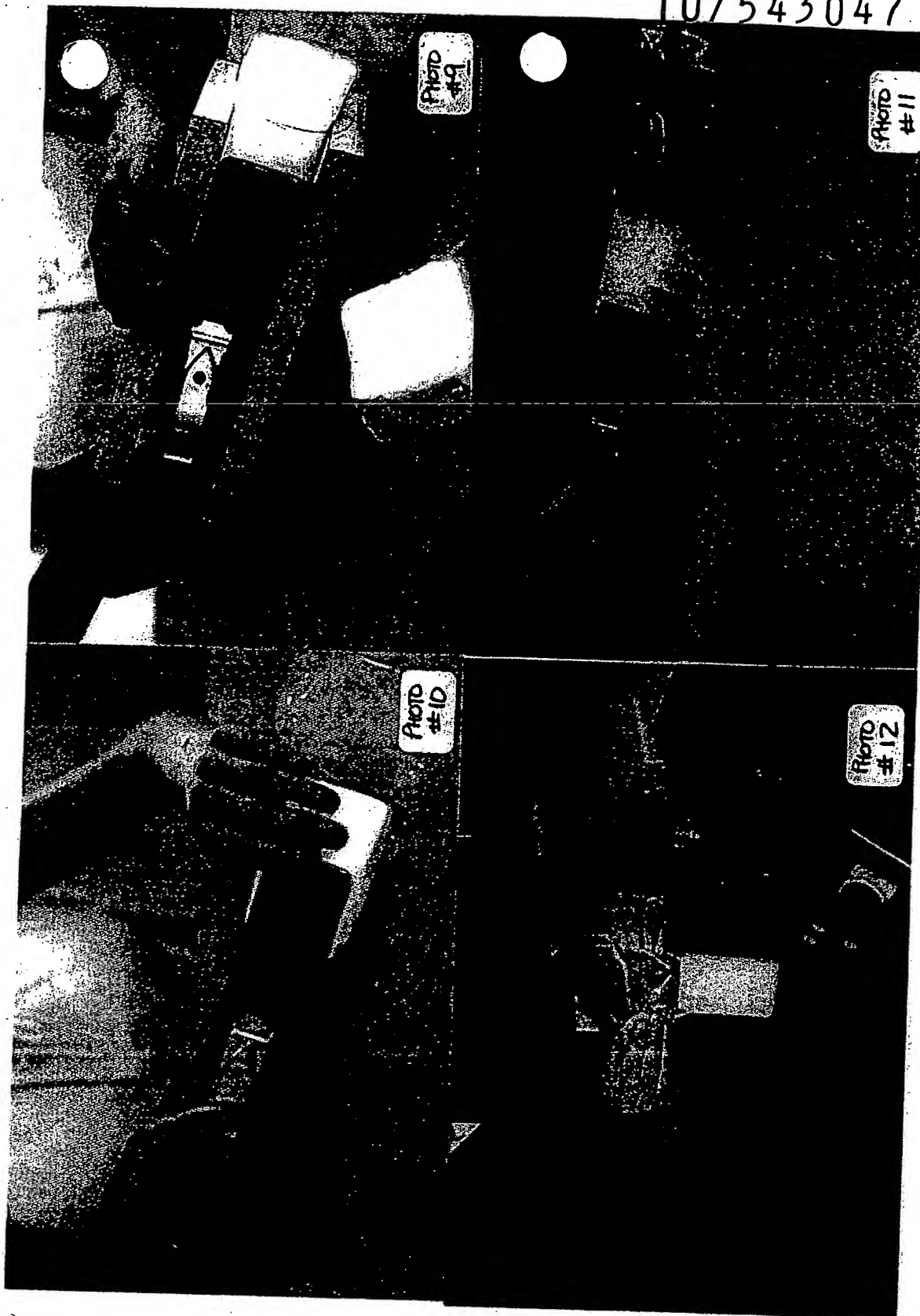
10/543047



10/543047



10/543047



107543047

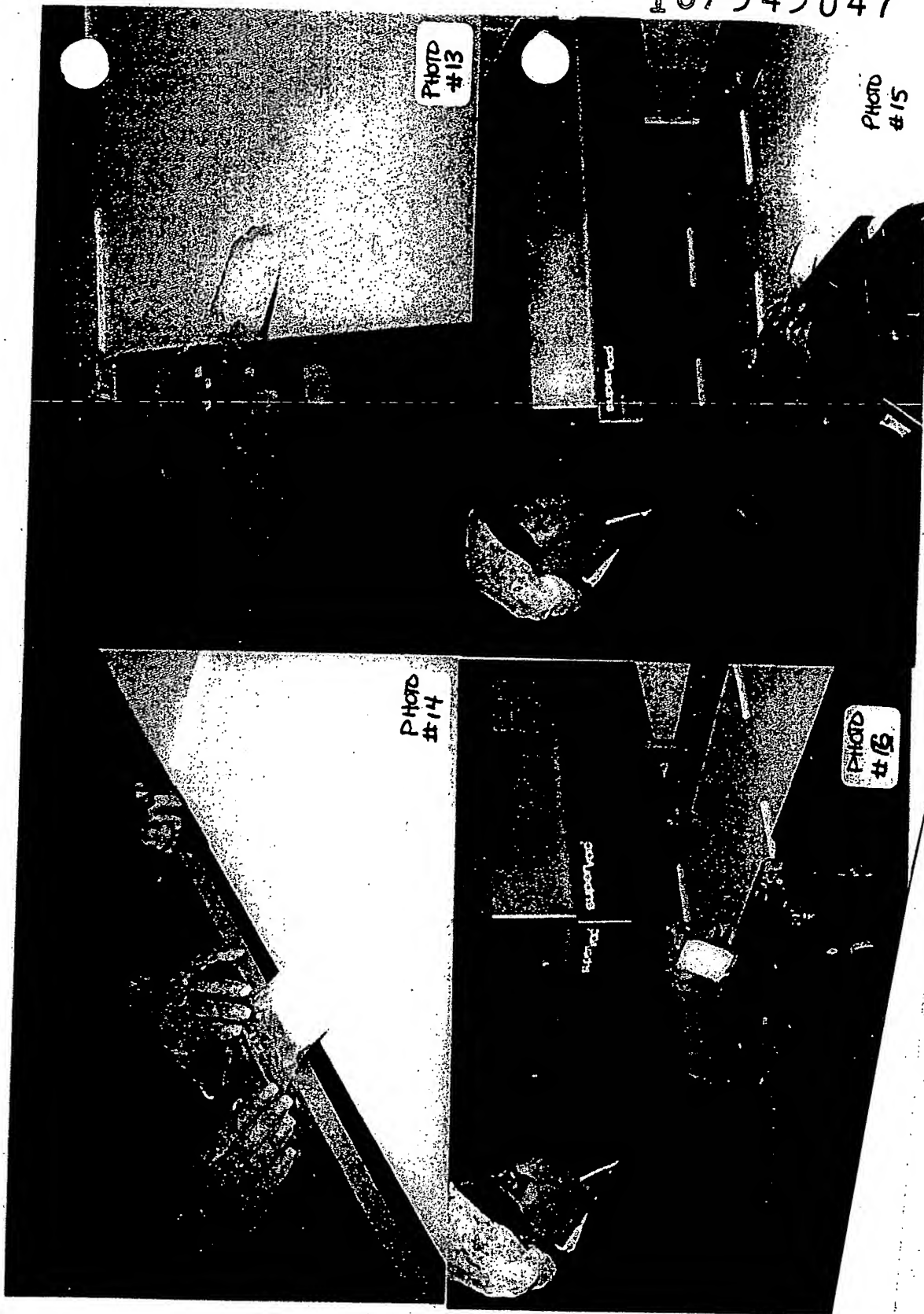


PHOTO #13

PHOTO #15

PHOTO #14

PHOTO #16